

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

No. CR 07-0212 WHA

v.

JOSE ISMAEL SERRANO,

**ORDER RE BRIEFING
SCHEDULE**

Defendant.


Defendant Jose Ismael Serrano was convicted of possession with intent to distribute crack cocaine in violation of 21 U.S.C. 841(a)(1), 841(b)(1)(C), and 851. He was sentenced to 204 months incarceration. Defendant, who was represented by the federal public defender, has moved *pro se* to reduce his sentence pursuant to 18 U.S.C. 3582(c)(2) on the basis of new sentencing guidelines for crack cocaine offenses. The government opposes defendant's motion on the grounds that he was sentenced pursuant to career offender guidelines and not the drug weight guidelines.

Defendant's motion is referred to the probation office and to the office of the federal public defender, which should submit their recommendations on or before **NOON ON APRIL 27**,

1 **2010.** Before filing its response, the public defender should consult with defendant regarding
2 whether it should be appointed to represent him in his Section 3582(c)(2) motion.

3
4 **IT IS SO ORDERED.**

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6 Dated: April 13, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE